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6 Attorneys for Defendants

7 UNITED STATES DISTRICT COURT

8 NORTHERN DISTRICT OF CALIFORNIA

9 SAN FRANCISCO DIVISION

10  
11 UNITED STATES OF AMERICA, STATE  
OF CALIFORNIA, STATE OF HAWAII,  
12 STATE OF NEVADA ex rel. HAROON  
AZIZ,

13 Plaintiffs,

14 v.

15 CVS CAREMARK CORPORATION,  
LONGS DRUG STORES CORPORATION,  
and DOES 1 - 10,

16 Defendants.  
17

Case No. 3:09-cv-01372-CRB

**JOINT STIPULATION AND  
[PROPOSED] ORDER RESCHEDULING  
HEARING ON MOTION TO DISMISS**

Judge: Hon. Charles R. Breyer

18 Relator Haroon Aziz and named Defendants CVS Caremark Corporation and Longs Drug  
19 Stores Corporation (collectively "Defendants" or "CVS"), by and through their respective  
20 counsel, hereby STIPULATE:

21 1. In a case management conference held on September 9, 2011, this Court scheduled  
22 argument on Defendants' Motion to Dismiss for November 4, 2011 at 10:00 a.m.

23 2. Catherine M. O'Neil, counsel for Defendants, has been scheduled to appear in a  
24 zoning hearing on the evening of November 3, 2011, which now makes travel from Georgia to  
25 California in time for the November 4, 2011 hearing very difficult.

26 3. Further, Defendants have just substituted counsel in this matter, due to the departure  
27 of Ross W. Nadel from King & Spalding. New counsel, Geoffrey M. Ezgar, is scheduled to be  
28 in New York on November 4, 2011.

1           4. In light of these conflicts, Defendants respectfully request that the hearing on the  
2 Motion to Dismiss be rescheduled.

3           5. The parties propose that the hearing be rescheduled for November 18, 2011 at 10:00  
4 a.m.

5  
6 DATED: October 28, 2011

/s/ Michael A. Hirst  
Michael A. Hirst, Esq.  
Hirst Law Group, P.C.  
Counsel for Relator Haroon Aziz

9  
/s/ Catherine M. O'Neil  
Catherine M. O'Neil, Esq.  
(*Appearance Pro Hac Vice*)  
King & Spalding LLP  
Counsel for Defendants

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14                                   **DECLARATION OF CONSENT**

15           Pursuant to General Order No. 45, Section X (B) regarding signatures, I attest under  
16 penalty of perjury that concurrence in the filing of this document has been obtained from  
17 Michael A. Hirst.

18                                   /s/ Catherine M. O'Neil  
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PURSUANT TO STIPULATION, IT IS SO ORDERED, that the hearing on the Motion to Dismiss is rescheduled for November 18, 2011 at 10:00 a.m.

DATED: November 1, 2011

